

Request to Remove Finality of Office Action

MPEP § 706.07 states:

The examiner should never lose sight of the fact that in every case the applicant is entitled to a full and fair hearing, and that a clear issue between applicant and examiner should be developed, if possible, before appeal.

Based on the inconsistent comments and analysis of the Final Office Action mailed December 31, 2001, it is clear that examination of the present U.S. Patent application has not resulted in a clear issue. Therefore, Applicants request that the finality of the Office Action mailed December 31, 2001 be removed and that another Office Action be issued.

Claim Rejections - 35 U.S.C. § 102

Claims 12, 17-19, 26, 29 and 30 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,167,446 issued to Lister, et al. (*Lister*). For at least the reasons set forth below, Applicants submit that claims 12, 17-19, 26, 29 and 30 are not anticipated by *Lister*.

Claim 12 recites the following:

automatically supplying user and group information across said network; and
automatically determining service capability of said device on said network.

Thus, Applicants claim automatically supplying user and group information and automatically determining service capability of a device. Claim 26 similarly recites a device configured to automatically supply user and group information and automatically determine service capability of the device.

Lister discloses maintaining a DRS database to track a client list, a proxy site, an alias name and a source server. See col. 9, lines 29-60. However, *Lister* does not

disclose automatically supplying user and group information or automatically determining service capability of a device. Therefore, *Lister* does not anticipate the invention as claimed in claims 12 and 26.

Claims 17 and 18 depend from claim 12. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 17 and 18 are not anticipated by *Lister* for at least the reasons set forth above.

Claim 29 recites the following:

gathering individual service lists;
creating a master service list accessible by network clients;
accessing the master service list for a first network device to
determine if a second network device provides a desired service.

Thus, Applicants claim determining whether a network device provides a desired service.

As mentioned above, *Lister* does not disclose determining whether a network device provides a desired service. Therefore, *Lister* does not anticipate the invention as claimed in claim 29.

Claim 30 depend from claim 29. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claim 30 is not anticipated by *Lister* for at least the reasons set forth above.

Claim Rejections - 35 U.S.C. § 103

Claims 1-7, 13-16, 20-25, 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Lister*. For at least the reasons set forth below, Applicants submit that claims 1-7, 13-16, 20-25, 27 and 28 are not rendered obvious by *Lister*.

Claim 1 recites the following:

requesting configuration information from a remote device coupled
to the network in response to connecting the device to the network;

waiting a period of time for a response to the request for configuration information;
providing configuration services to said network if the response to said configuration information request is not received from said remote device within said period of time;
providing configuration services to said network if said device has a higher priority than said remote device; and
monitoring said network to detect a connection of an additional device to said network.

Thus, Applicants claim determining which of multiple devices provides configuration services to the network. Claim 21 similarly recites determining which of multiple devices provides configuration services.

Lister is directed to a network proxy cache that provides tracking of names. See, for example, the Summary of the Invention. *Lister* does not disclose determining which device provides network configuration services. Therefore, *Lister* does not teach or suggest the invention as claimed in claims 1 and 21.

Claims 2-7 depend from claim 1. Claims 22-25 depend from claim 21. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 2-7 and 22-25 are not rendered obvious by *Lister* for at least the reasons set forth above.

Claim 13 depends from claim 12 and recites management of user and group information. *Lister* does not teach or suggest management of user and/or group information. Therefore, *Lister* does not teach or suggest the invention as claimed in claim 13.

Claims 14-16 depend from claim 13. Because dependent claims include the limitations of the claims from which they depend, Applicants submit that claims 14-16 are not rendered obvious by *Lister* for at least the reasons set forth above.

Claims 19 and 20 depend from claim 12. Applicants submit that claims 19 and 20 are not rendered obvious by *Lister* for at least the reasons set forth above with respect to claim 12. Claims 27 and 28 depend from claim 26. Applicants submit that claims 27 and 28 are not rendered obvious by *Lister* for at least the reasons set forth above with respect to claim 26.

Conclusion

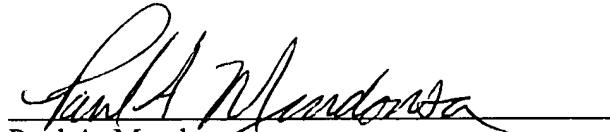
For at least the foregoing reasons, Applicants submit that the rejections have been overcome. Therefore, claims 1-7 and 12-30 are in condition for allowance and such action is earnestly solicited. The Examiner is respectfully requested to contact the undersigned by telephone if such contact would further the examination of the present application.

Please charge any shortages and credit any overcharges to our Deposit Account number 02-2666.

Respectfully submitted,
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN, LLP

Date:

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